

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 717 - HB 1047

March 2, 2021

SUMMARY OF ORIGINAL BILL: Requires a person convicted of continuous sexual abuse of a child on or after July 1, 2021, be sentenced to community supervision for life.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004137): Deletes all language after the enacting clause. Requires outlined offenses committed on or after July 1, 2021 to serve 100 percent of the sentence imposed undiminished by sentence reduction credits.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – \$24,790,400 Incarceration*

Assumptions for the bill as amended:

- The proposed legislation applies to the following offenses:
 - Female genital mutilation;
 - Domestic assault;
 - Trafficking for a commercial sex act;
 - Advertising commercial sexual abuse of a minor;
 - Rape;
 - Aggravated sexual battery;
 - Sexual battery;
 - Aggravated statutory rape;
 - Felony indecent exposure;
 - Patronizing prostitution;
 - Promoting prostitution;
 - Public indecency;
 - Continuous sexual abuse of a child;
 - Sexual battery of an authority figure;
 - Solicitation of a minor;
 - Soliciting sexual exploitation of a minor;
 - Statutory rape by an authority figure;
 - Promoting travel for prostitution;

- Unlawful photography in violation of privacy when the victim is under 13 years of age;
 - Observation without consent;
 - Incest;
 - Child abuse or child neglect or endangerment;
 - Aggravated child abuse or aggravated child endangerment or neglect;
 - Using a minor to produce, import, prepare, distribute, process, or appear in obscene material;
 - Unlawful sale, distribution, or transportation with intent to sell or distribute of a child-like sex doll;
 - Sexual exploitation of a minor;
 - Aggravated sexual exploitation of a minor;
 - Especially aggravated sexual exploitation of a minor; and
 - Conspiracy, criminal attempt, or solicitation to commit any of the outlined offenses.
- This analysis estimates the highest cost for admissions in the next 10 years; therefore, any additional time added by the proposed legislation resulting in sentences exceeding 10 years in length surpass the window of this analysis.
 - Utilizing information provided by the Department of Correction, the fiscal impact related to incarceration has been determined using numerous and complex calculations. These calculations have been omitted from this fiscal note for the purpose of brevity. However, the calculations used for determining the following fiscal impact are on file with Fiscal Review Committee staff and can be provided upon request.
 - Pursuant to Tenn. Code Ann. § 9-4-210, the annualized increase in state incarceration expenditures is estimated to be \$24,790,396.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Bojan Savic, Interim Executive Director

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